

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

JUDY M. BOGGESS,)	
)	
Plaintiff,)	
v.)	No. 1:09-CV-70
)	
MICHAEL J. ASTRUE,)	Chief Judge Curtis L. Collier
Commissioner of Social Security)	
)	
Defendant.)	

JUDGMENT ORDER

Plaintiff Judy M. Boggess (“Plaintiff”) brought this action pursuant to the Social Security Act, 42 U.S.C. §§ 405(g) and 1383(c)(3), to obtain judicial review of a final decision by Defendant, the Commissioner of Social Security (“Defendant”), denying Plaintiff a period of disability, disability insurance benefits, and supplemental security income under Title II and Title XVI of the Social Security Act, 42 U.S.C. §§ 416(I), 423, and 1382 (Court File No. 3). Plaintiff then filed a motion for judgment on the pleadings (Court File No. 15), and Defendant filed a motion for summary judgment (Court File No. 17).

Pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b), the Court referred these matters to United States Magistrate William B. Mitchell Carter, who subsequently filed a report and recommendation (“R&R”), recommending the Court rule in favor of Defendant and dismiss this case (Court File No. 19). Neither party filed an objection. *See* Fed. R. Civ. P. 72(b).

Having reviewed the R&R, the parties’ briefs, the applicable law, and the record, the Court **ACCEPTS & ADOPTS** the R&R (Court File No. 19), and **ORDERS** the following:

- (1) Plaintiff’s motion for judgment on the pleadings (Court File No. 15) is **DENIED**;
- (2) Defendant’s motion for summary judgment (Court File No. 17) is **GRANTED**;

(3) the decision of the Commissioner of Social Security is **AFFIRMED**; and

(4) this case is **DISMISSED**.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE